

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
SHOW CAUSE NOTICE NO. 365 OF 2004
IN
CONTEMPT PETITION NO. 13 OF 2003
IN
ARBITRATION PETITION NO. 514 OF 2001

Abdul Rehman Mohammed Yusuf Khan

& Anr.

...Petitioners

Vs.

Dr.Dineshkumar Biharilal Bhatt & Ors. ..Respondents

Mr. Deepak Chitnis i/b.

M/s. Chitnis Vaithy & Co. for the petitioners.

Ms. Midi Thakkar i/b. Vipul Shukla for Respondent
No.1.

CORAM: S.K.SHAH, J.

DATE : 31st March, 2006.

P.C.

1. I have heard learned Counsel on both sides. they have filed Minutes of Order dated 17.3.2006. The Minutes of Order are taken on record and marked "X". Order in terms of the Minutes of Order.

2. The learned Counsel for the Respondent No.1 states that whatever has been stated in para 2 shall

be taken as an undertaking given by the Respondent No.1. The undertaking is accepted. In view of the fact that unconditional apology is tendered by the Respondent No.1 and the fact that Respondent No.1 is suffering from paralytic stroke, I accept the unconditional apology.

3. The Show Cause Notice is discharged.

4. As regards the amount of Rs.3,00,000/-, if any, action has been taken by the Respondents Nos. 2 to 5. The Respondent No.1 will be at liberty to withdraw the amount.

5. The Respondent No.1 shall not create any third party rights and comply with the order dated 29.1.2001 passed earlier by this Court.

Contempt Petition stands disposed of.

(S.K.SHAH, J.)